AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

Claim1 (Canceled).

Claim 2 (Original): A modulating apparatus for optical communication which modulates a carrier by a modulation signal and generates a modulated wave to be supplied to a light emitting diode, wherein modulation is executed to satisfy:

$fd>f1$,

$fu<f2$, and

$fc>3(1+\alpha)\ fsr/2$

when a lower limit frequency of a use-permitted frequency band is f1 [Hz], an upper limit frequency of the use-permitted frequency band is f2 [Hz], a carrier frequency is fc [Hz], a rolloff factor is α, and a symbol rate of the modulation signal is fsr.

Claims 3 and 4 (Canceled).

Claim 5 (Original): A transmitting apparatus comprising:

a modulating apparatus for optical communication which modulates a carrier by a modulation signal and generates a modulated wave to be supplied to a light emitting device, wherein modulation is executed to satisfy:

$fd>f1$,

$fu<f2$, and

$fc>3(1+\alpha)\ fsr/2$

when a lower limit frequency of a use-permitted frequency band is f1 [Hz], an upper limit frequency of the use-permitted frequency band is f2 [Hz], a carrier frequency is fc [Hz], a rolloff factor is .alpha., and a symbol rate of the modulation signal is fsr; and

a light transmitting unit having the light emitting device which is driven by the modulated

wave generated by the modulating apparatus and outputs a light-modulated wave.

Claim 6 (Canceled).

Claim 7 (Original): A computer program embodied on a computer-readable medium ~~product~~ for making a computer function as a modulating apparatus, by executing the computer program, for optical communication which modulates a carrier by a modulation signal and generates a modulated wave to be supplied to a light emitting device, wherein modulation is executed to satisfy:

$fd>f1$,

$fu<f2$, and

$fc>3(1+\alpha)\, fsr/2$

when a lower limit frequency of a use-permitted frequency band is f1 [Hz], an upper limit frequency of the use-permitted frequency band is f2 [Hz], a carrier frequency is fc [Hz], a rolloff factor is .alpha., and a symbol rate of the modulated signal is fsr.